

REMARKS

Claims 1-15 and 26-34 are pending. Claims 1-7, 9-12, 14, and 31-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,546,523 to Gatto in view of U.S. Patent No. 6,028,950 to Merjanian. Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,546,523 to Gatto in view of U.S. Patent No. 6,028,950 to Merjanian and U.S. Patent No. 5,457,747 to Drexler et al. Claims 8, 26-30, and 33-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,546,523 to Gatto in view of U.S. Patent No. 6,028,950 to Merjanian and U.S. Patent No. 5,485,510 to Colbert. Claims 1, 4-5, 7, 9-12, 14, and 26 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4, 6, 8-10, and 14-15 of U.S. Patent No. 6,662,166. Claims 29-30 and 33-34 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,662,166 in view of U.S. Patent No. 5,485,510 to Colbert. Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reconsideration is requested. No new matter is added. The rejections are traversed. Claims 1 and 29 are amended. Claims 9 and 15 are canceled. Claims 35-64 are added. A terminal disclaimer is filed with respect to U.S. Patent No. 6,662,166. Claims 1-8, 10-14, and 26-64 remain in the case for consideration.

Claims 1 and 29 have been amended to include the features of claims 9 and 15. As the Examiner has indicated that the feature of claim 15 is not taught or suggested by the prior art, these amendments should make claims 1-8, 10-14, and 26-38 allowable.

Support for new claims 35-38, 47-48, and 63-64 can be found in the specification at page 20, lines 8-15. New claims 39-46 and 49-58 are copies of previous claims 1-14, 26-28, and 32, respectively, with claim 39 amended to include the limitations of claim 31. New claims 59-62 are copies of previous claims 29-30 and 33-34, with claim 59 amended to include the limitations of claim 33.

OBVIOUSNESS-TYPE DOUBLE PATENTING

A terminal disclaimer is filed with respect to U.S. Patent No. 6,662,166. Accordingly, claims 1, 4-5, 7, 9-12, 14, 26, 29-30, and 33-34 should now be allowable over the double patenting rejection.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103(a)

In rejecting claims 31 and 33, the Examiner has argued that Gatto and Merjanian teach the features of the claims. But claims 31 and 33 specifically include the feature of an account index code. As indicated by the Examiner in the Notice of Allowance for U.S. Patent No. 6,662,166, and as agreed by the Examiner in an interview held with the undersigned on August 5, 2004 with respect to U.S. Patent Application Serial No. 09/731,536, the prior art does not teach the concept of an account index code. Accordingly, claims 31 and 33 include features that the Examiner has previously acknowledged are not taught or suggested by the prior art, and claims 31 and 33 therefore should be allowable under 35 U.S.C. § 103(a) over Gatto in view of Merjanian, with or without Colbert.

In addition, as discussed above, claims 39 and 59 are claims 1 and 29 including the features of claims 31 and 33, respectively (but without the features of claims 9 and 15). Because claims 39 and 59 include features the features that should make claims 31 and 33 allowable, claims 39-64 should also be allowable under 35 U.S.C. § 103(a) over Gatto in view of Merjanian, with or without Colbert.

For the foregoing reasons, reconsideration and allowance of claims 1-8, 10-14, and 26-64 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Ariel S. Rogson
Ariel S. Rogson
Reg. No. 43,054

I HEREBY CERTIFY THAT
THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE
UNITED STATES POSTAL
SERVICE AS FIRST CLASS
MAIL IN AN ENVELOPE
ADDRESSED TO:

COMMISSIONER OF PATENTS
AND TRADEMARKS WASHINGTON
D.C. 20231

MAIL STOP _____
COMMISSIONER FOR PATENTS
BOX 145C
ALEXANDRIA, VA 22313-1450

BOX _____
COMMISSIONER
FOR TRADEMARKS 2900 CRYSTAL
DRIVE ARLINGTON, VA 22202-3513
ON *7/10/2014*
Ariel S. Rogson

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
503-222-3613
Customer No. 20575